

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MAXIMO ESPINAL,  
Plaintiff,  
VS.  
CITY OF HOUSTON, et. al.,  
Defendants.  
. . . . .

.  
. Civil Action  
. No. H-22-CV-1149  
. Houston, Texas  
. September 26, 2022  
. 4:03 p.m.  
.

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE LYNN N. HUGHES  
CONFERENCE

APPEARANCES:

FOR THE PLAINTIFF:

Mr. Randall Lee Kallinen  
ATTORNEY AT LAW  
511 Broadway Street  
Houston, Texas 77012  
713.320.3785  
attorneykallinen@aol.com

FOR THE DEFENDANTS:

Ms. Morgan Genell Latin  
Ms. Melissa Azadeh  
CITY OF HOUSTON  
Legal  
900 Bagby Street  
4th Floor  
Houston, Texas 77584  
832.393.6293

PROCEEDINGS RECORDED BY STENOGRAPHIC MEANS,  
TRANSCRIPT PRODUCED FROM COMPUTER-AIDED TRANSCRIPTION

1 COURT REPORTER:

2 GAYLE L. DYE, CSR, RDR, CRR  
3 515 Rusk, Room 8004  
4 Houston, Texas 77002  
5 713.250.5582  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 PROCEEDINGS

2 September 26, 2022

3 THE COURT: I guess I'm not a tough guy. Half a day  
4 of sending people to prison is -- and Lord knows they earn it,  
04:03:14 5 but that doesn't make it any easier.

6 Mr. Kallinen --

7 MR. KALLINEN: Yes, your Honor

8 THE COURT: -- where do you think Mr. Espinal is in  
9 his preparation, organization, appreciation of the claims?

04:03:41 10 MR. KALLINEN: Of the what, your Honor?

11 THE COURT: Well, Mr. Espinal is bound to sit back  
12 occasionally and look at all the papers that have been filed and  
13 admire his case.

14 MR. KALLINEN: Yes. He has been informed of all the  
04:03:55 15 facts of his case, yes, your Honor.

16 THE COURT: As a legally trained man of great  
17 experience, there are probably some things that he needs to pin  
18 down that he doesn't have the data or the witness themselves.

19 Did he do any of that that you can think of?

04:04:37 20 MR. KALLINEN: I do not know exactly what -- I believe  
21 that the complaint that he recited sets forward that he was  
22 arrested for aggravated assault, but he did not -- he did not do  
23 any assault. He did not point a gun at anybody or anything like  
24 that.

04:05:01 25 THE COURT: Apparently, he was working a very night

1 shift at his place that, apparently, needed someone to do it.  
2 And then, a publicly paid -- when he approached the car the  
3 second time, were they in uniform and was it a marked car?

4 MR. KALLINEN: He could not see the car because it was  
04:05:39 5 nighttime, and the lights were pointed right at him, and it was  
6 coming towards him rather rapidly. So, he -- he could not tell  
7 whether it was -- what it was because the lights were right in  
8 his face. It was coming straight at him.

9 THE COURT: And what is his current physical state?

04:06:08 10 MR. KALLINEN: Physically, he's doing pretty good.  
11 After everything that happened to him, though, this man who had  
12 never been even arrested in his life gets charged with all this.  
13 It's truly upsetting; and of course, unfortunately, those  
14 records don't go anywhere, the arrest records; and they're just  
04:06:29 15 -- they're still just sitting there in the court records. And  
16 so, it's all just sitting there even though he's had the case  
17 dismissed in its entirety.

18 THE COURT: Well, he's probably missing a little of  
19 what we all would claim if we had the chance; and that's not  
04:06:56 20 worrying about things and just being able to look at somebody  
21 coming down the street and say, "Howdy" and have a new friend.

22 MR. KALLINEN: Yes, your Honor. That is -- we would  
23 hope that he could get there. In this particular case --

24 THE COURT: Does he live in the city?

04:07:23 25 MR. KALLINEN: Yes, he does, your Honor.

1 THE COURT: Ms. Latin -- is that how you pronounce it?

2 MS. LATIN: Yes, your Honor.

3 THE COURT: I learned more Latin in one of those  
4 junior high school teaser things, and I really liked it.

04:07:55 5 MS. LATIN: Uh-huh.

6 THE COURT: And did very well at it, which surprised  
7 all my teachers; and then, I took the French one; and I  
8 certainly wasn't going to do that. And so, I took some Spanish  
9 because it looked like it was easier; and it is. But I have --  
04:08:22 10 had four friends, and there are only three of them who took lots  
11 of Latin growing up.

12 MS. LATIN: Uh-huh.

13 THE COURT: One boy was from an intensively rural  
14 Catholic part of America, and the others were just getting a  
04:08:41 15 very good education sort of. And they write better than anybody  
16 else in my group -- I'll call them that -- because it's part of  
17 everything.

18 MS. LATIN: Uh-huh. It's the basis of a lot of our  
19 vocabulary.

04:09:01 20 THE COURT: It is.

21 What do you think we're in a position to do next  
22 or that you would like to do next?

23 MS. LATIN: So, at this stage on behalf of the city  
24 with the motion to dismiss that is on file along with our reply,  
04:09:21 25 we would hope that the Court at this time would be able to rule

1 on it in our favor and be able to dismiss the city's claims as  
2 we don't see how Mr. Kallinen has -- or how Plaintiff has  
3 provided enough facts to make the argument anymore than  
4 conclusory as far as meeting municipal liability under *Monell*.

04:09:44

5 Additionally, as far as the officers based on the  
6 motion to dismiss that's on file for the officers in this  
7 case --

8 THE COURT: Would you, please. Mercifully, there are  
9 only three officers here.

04:09:58

10 MS. LATIN: Yes.

11 THE COURT: And one of them might be wrong. So, would  
12 you make sure he has the substantively wrong person, not -- the  
13 guy wasn't there -- well, if the guy wasn't there, too, that  
14 would be fine; but let's see if we can clear up some of that.

04:10:23

15 MS. LATIN: Yes. So, based off of what we provided  
16 within the motion to dismiss on behalf of Officer Lam and  
17 Officer Long, I would hope that it had clarified who was present  
18 at what places but if Plaintiff needs more information --

19 THE COURT: And --

04:10:45

20 MS. LATIN: -- or the Court needs more information.

21 THE COURT: No. I just want you-all to get a little  
22 better informed so that you can settle.

23 Now, Ms. Azadeh -- is that how you pronounce it?

24 MS. AZADEH: Azadeh

04:11:11

25 THE COURT: -- you got anything on your mind that

1 would be reasonable to do at this point in their case?

2 MS. AZADEH: Your Honor, I agree that the city's  
3 motion is ready for ruling.

4 THE COURT: All right. But I want to make sure we got  
04:11:28 5 all -- at least, the fundamental facts. You know, almost nobody  
6 knows who was at a police gathering or a painter either. People  
7 don't have giant fields of friends who all happen to do the same  
8 thing at the same time in the same place.

9 MS. LATIN: So, your Honor, if I may, in regard --

04:12:02 10 THE COURT: You have my permission, but I don't know  
11 whether you're able.

12 MS. LATIN: Yes, your Honor.

13 So, in regards to that point, what the city has  
14 provided and what the officers have provided within their  
04:12:17 15 motions to dismiss show that there was probable cause for  
16 Plaintiff's arrest; therefore, regardless of who or which  
17 officers were present, the basis of what Plaintiff has presented  
18 as a constitutional violation would not stand.

19 THE COURT: All right. I see -- if I understand what  
04:12:45 20 you told me, there were four officers out there; and two of them  
21 violated the constitution?

22 MS. LATIN: No, your Honor.

23 THE COURT: Okay.

24 MS. LATIN: No. No, not at all. What I am saying is  
04:13:04 25 that the officers who have filed a motion to dismiss along with

1 any officers -- any other officers that were present would have  
2 -- would not have violated Plaintiff's constitutional rights  
3 because the basis of his claim is that he was arrested without  
4 probable cause and because probable cause existed for the arrest  
04:13:25 5 that regardless of the specific names of the officers that were  
6 present, none of the officers that were present would have  
7 violated Plaintiff's constitutional rights.

8 THE COURT: Why are you certain they wouldn't?

9 MS. LATIN: So, in order for Plaintiff to bring a  
04:13:44 10 claim for false arrest, he would have to show that he was  
11 arrested without probable cause. The facts of -- that Plaintiff  
12 presented within his own pleadings support that probable cause  
13 existed for, at least, the aggravated assault that Plaintiff was  
14 arrested for but, also, for unauthorized use of a firearm.

04:14:05 15 So, taking that into account, what we are saying  
16 is that because Plaintiff's rights were not violated, then there  
17 is no claim that would stand.

18 THE COURT: Was there any shooting?

19 MS. LATIN: No, your Honor.

04:14:28 20 THE COURT: Ms. Azadeh, are you local?

21 MS. AZADEH: Yes, your Honor.

22 THE COURT: So, you understand about Texans and their  
23 guns?

24 MS. AZADEH: Yes. Perfect.

04:14:55 25 THE COURT: Mr. Kallinen --



1 MR. KALLINEN: Yes, your Honor.

2 THE COURT: -- did you respond to -- have you  
3 responded to the city's response to your response to the  
4 incident?

04:15:05 5 MR. KALLINEN: I have filed a response to their  
6 motions to dismiss, your Honor, yes, I have, both the city's and  
7 the individual officers.

8 Wait a second. The city. But I don't know if  
9 the individual officers have yet.

04:15:19 10 I think you just filed them not too long ago,  
11 right? Or did you file them?

12 MS. LATIN: Yes. So, the motion to dismiss on behalf  
13 of the officers was filed --

14 MR. KALLINEN: Just a week ago or so?

04:15:32 15 MS. LATIN: A little over a week.

16 THE COURT: Well, it's different from the city.

17 MR. KALLINEN: Yeah.

18 MS. LATIN: Yes. On behalf of the officers, the  
19 motion to dismiss was filed on September 16th.

04:15:42 20 MR. KALLINEN: So, we will be filing within the time  
21 period, your Honor, which will be next week, I guess. Next  
22 week, we'll be filing that response in a timely fashion; but we  
23 have answered for the city, your Honor.

24 And we believe -- the Plaintiff believes that  
04:15:57 25 based upon the facts of a pattern and practice, their -- the

1 complaint is rather lengthy because he has -- the Plaintiff has  
2 taken a bunch of examples -- many examples of previous excessive  
3 force and false arrest instances, mostly excessive -- I mean,  
4 excuse me, false arrest instances.

04:16:27

5 And so, we believe that we can meet the criteria,  
6 at least, at this stage, the motion-to-dismiss stage, because it  
7 is very -- I know this Court likes to, you know, just get rid of  
8 bad -- bad -- I don't know if you want to call it bad meat or  
9 whatever. But I think --

04:16:47

10 THE COURT: I like to inspire them to move.

11 MS. LATIN: Judicial efficiency.

12 MR. KALLINEN: Yes.

13 I think at this lawsuit -- at this stage, we  
14 would like to, you know, develop our case because --

04:17:03

15 THE COURT: We've got to figure out who's in and who's  
16 out on an absolute term.

17 MR. KALLINEN: We would like to find out who that one  
18 officer was who -- we described the officer.

04:17:16

19 Now, we haven't gotten any documents from  
20 you-all. I think your position is you don't get any documents  
21 yet. I don't think we even got the police report.

22 THE COURT: They'll get them done.

23 MR. KALLINEN: Yeah.

04:17:32

24 So, on the -- so, for right now for the city,  
25 which is the only ripe motion to dismiss, we have alleged quite

1 a few other instances as well as training and, also, although  
2 it's disfavored, ratification. I still like ratification  
3 because our -- my -- the Plaintiff after the -- after he was  
4 falsely arrested and he made a complaint to the city, they  
5 wholly ignored him.

04:18:00

6 So -- so, in other words, although the case  
7 against him was dismissed, the city did not discipline any  
8 officer to -- that we know about in this case. So, that's a  
9 form of ratification, as well as the pattern and practice  
10 evidence.

04:18:19

11 So, at this point, the motion-to-dismiss stage,  
12 we would respectfully request that the motion to dismiss for the  
13 city for now be denied; and maybe later on on a motion to -- for  
14 summary judgment, then we can address more -- you know, get the  
15 facts.

04:18:35

16 THE COURT: Yes, ma'am.

17 MS. LATIN: So, your Honor, in regards to what  
18 Plaintiff is referring to, the city still stands on the -- on  
19 the belief they saw the facts in the pleadings, based on our  
20 motion, that Plaintiff has not met the burden to overcome a  
21 12(b) (6) motion to dismiss. It's -- it's very conclusory.

04:19:01

22 The pattern and practice that Plaintiff is  
23 referring to are a list of events that he included within his  
24 amended complaint that all -- almost all relate to excessive  
25 force. Based on those incidences, it does not meet the

04:19:21

1 requirements of numerosity, specificity, or similarity in  
2 records to being able to prove a pattern or practice, not even  
3 for the motion-to-dismiss stage.

4           Additionally, as far as the ratification claim --  
04:19:42 5 well, I'll start first with the failure-to-train claim. In  
6 regards to the failure-to-train claim, the failure to train is  
7 subsequent to a custom, policy, or practice of false arrest or  
8 malicious prosecution. If Plaintiff has not met the ability to  
9 say that there's a custom, pattern, policy, or any such  
04:19:59 10 regarding false arrest or malicious prosecution, then moving to  
11 the failure to train would not have logically taken place in  
12 this specific incident.

13           Additionally, Plaintiff has not been able to show  
14 what's necessary for a failure-to-train claim because he has not  
04:20:17 15 shown that there was any deliberate indifference on the part of  
16 the city. And also, in order to show that deliberate  
17 indifference, he would, again, have to be able to show that  
18 there was a pattern or practice, which, again, just based off of  
19 the pleadings alone, Plaintiff has not been able to show.

04:20:44 20           THE COURT: I would suspect being as large as Houston  
21 is and as frequently as its residents do peculiar things and  
22 some frequency of employees doing a little funny business, but  
23 we got to have facts.

24           For instance, I believe Mr. Kallinen should  
04:21:25 25 furnish the city with -- Mr. Espinal should produce his drug

1 records, PA records, and similar things going back 20, 25 years.

2 MS. LATIN: So, your Honor, in regards to continuing  
3 discovery and providing additional facts, the city would like to  
4 bring to the Court's attention the case *Carswell v. Camp* that  
04:21:57 5 was just decided recently in the Fifth Circuit which does state  
6 that the Supreme Court has now made clear that a plaintiff  
7 asserting constitutional claims against an officer must survive  
8 the motion to dismiss and the qualified-immunity defense without  
9 any discovery.

04:22:12 10 And being that the officers in this case have  
11 raised qualified immunity within their motion to dismiss, the  
12 city also would -- the city and the officers also would  
13 encourage the Court to not allow any additional discovery to  
14 continue until we're able to have --

04:22:31 15 THE COURT: I wasn't allowing it. I was going to tell  
16 him to give it to you so you're better informed.

17 MR. KALLINEN: Your Honor, of course, governments  
18 don't have qualified immunity, only individuals do. And  
19 regarding *Carswell v. Camp*, it is a relatively new case, which,  
04:22:52 20 by the way, I have submitted an amicus curiae for as the Court  
21 is considering whether to grant en banc review because it's a  
22 very interesting case which is the first one -- the first  
23 decision like this in the whole United States.

24 Basically, it was a great expansion of qualified  
04:23:15 25 immunity; and so -- and the en banc -- so, they're thinking

1 about it. Usually, if the -- you know, if they're not  
2 considering en banc, they usually, you know, get rid of it in a  
3 couple of days; but they've been considering it for, like, a  
4 month, whether to grant en banc review on that case, *Carswell v.*  
5 *Camp*.

04:23:35

6 THE COURT: There was one maybe a month ago where I  
7 think there were four or five opinions, and they must like  
8 opinions.

9 MR. KALLINEN: This one could be -- *Carswell v. Camp*  
10 could be another one because they've been sitting on it for,  
11 like, over a month thinking about whether to grant en banc. And  
12 usually, they get rid of it, like, at the snap of a finger. So,  
13 they're thinking about it.

04:23:51

14 Oh, and they asked for the other side to brief  
15 it. So, that shows they're interested. They've asked for  
16 briefing.

04:24:03

17 THE COURT: Have you responded to the city's and  
18 related people, to their -- to their motion to --

19 MR. KALLINEN: On the individuals, no. But it is due  
20 in about ten days or so, and we will timely respond to the  
21 individual officer's motion to dismiss, Lam and Long; and we did  
22 respond, of course, to the city's motion to dismiss. Yes, we  
23 did.

04:24:27

24 However, like I say, it was a motion to dismiss.  
25 We haven't got any discovery yet. So, we would -- we think --

04:24:41

1 THE COURT: You don't get discovery just because you  
2 filed the claim. The book that tells you how to do it says very  
3 clearly after a full investigation and a few other things like  
4 that. It's not their job to show you where the bodies are  
04:25:06 5 buried.

6 MR. KALLINEN: And your Honor, unfortunately, the  
7 Texas Open Records Act is about one of the weakest laws you can  
8 ever imagine. They even have an exception called the litigation  
9 exception. So, if they think you're going to litigate, say,  
04:25:21 10 okay, you're going to litigate so you don't get anything; and of  
11 course, if a lawyer asks like me, that's enough for them to go  
12 home. Well, you're a lawyer. Litigation exception, you don't  
13 get anything.

14 THE COURT: Have you ever tried to make the Open  
04:25:36 15 Records Act a reality in Washington DC?

16 MR. KALLINEN: No. But it should be expanded  
17 everywhere. That's what I say.

18 THE COURT: Actually, I succeeded at one.

19 MR. KALLINEN: A FOIA request?

04:25:53 20 THE COURT: No. Archeologist, really.

21 MS. LATIN: Your Honor, we do hear Plaintiff's  
22 concerns; however, regarding discovery and his ability --  
23 Plaintiff's ability to be able to find information, still on the  
24 criminal side of things, being that there was a criminal case in  
04:26:13 25 this proceeding, the Michael Morton Act is incredibly strong for

1 Plaintiff to be able to still find the information that would be  
2 needed for him to continue to try and create a claim that could  
3 withstand the motion to dismiss.

4 But again, the city still would like to draw the  
04:26:30 5 Court's attention to the fact that the pleadings on its face,  
6 not only do they not support the claims that Plaintiff is  
7 asserting against even just the City of Houston alone but, also,  
8 that they more so negate that there is a claim here that  
9 Plaintiff could bring against the city or the officers.

04:26:52 10 Even taking just the city alone, not only does  
11 the Plaintiff -- not only does Plaintiff have to be able to show  
12 that there are actions attributable to the city that caused the  
13 constitutional violation -- he has not been able to do any of  
14 those things, not show an action that's attributable to the  
04:27:09 15 city, nor that there was a constitutional violation.

16 So, being that he has not alleged that there was  
17 any action on behalf of the city itself that contributed to any  
18 constitutional violation, we do not see how Plaintiff can  
19 overcome the motion to dismiss.

04:27:28 20 THE COURT: And you've written me a nice letter about  
21 that.

22 MS. LATIN: Yes, your Honor.

23 THE COURT: And you're going to supplement it on your  
24 response to whatever he said about the officers.

04:27:45 25 MS. LATIN: For the officers, yes. For the city,



1 however, we filed our motion. Plaintiff has responded, and  
2 we've also filed a reply on behalf of the city.

3 THE COURT: That looks like you're ready. If I reach  
4 some place that I think ought to be considered, I'll guess  
5 money.

04:28:14

6 She just killed my table.

7 MS. AZADEH: Sorry, your Honor.

8 MS. LATIN: And then, tried to play it off.

9 THE COURT: Mr. Kallinen, I've got a case for you.

04:28:29

10 MR. KALLINEN: Damage of government property.

11 THE COURT: Well, sometimes pencils and pens don't do  
12 what you like them to do; and she left out the cursing and a few  
13 other things very nicely.

14 All right. So, what did you say, two more weeks;  
15 and then, I'll start reading?

04:28:48

16 MR. KALLINEN: Yes, your Honor. And then, you can  
17 read the whole thing at once rather than piecemeal it.

18 THE COURT: Okay. But no harassing in the meantime.

19 MR. KALLINEN: I won't.

04:29:06

20 THE COURT: Let them get their rest because they're  
21 going to need it when you really get organized.

22 All right. Anything else?

23 MS. LATIN: At this time, no, for the city.

24 THE COURT: Ma'am, anything else?

04:29:22

25 MS. AZADEH: No. Thank you, your Honor.

1 MR. KALLINEN: Nothing from Plaintiff, your Honor.

2 THE COURT: All right. And I'm very sorry about  
3 keeping you, but it's a slow process. When I was here in the  
4 eighties, you could justly and thoughtfully go through the  
04:29:48 5 information you needed in 15 minutes; and somebody else hadn't  
6 already made a rule up about what kind of sentence they're  
7 supposed to get if you just count their age and education and a  
8 few things like that; and then, they gave you two charts.

9 At the bottom, it was a chart about how  
04:30:17 10 frequently do judges from this district sentence whatever they  
11 sentence; and so, you end up with a curve; and then, what's the  
12 aggregate against all roughly similar districts and give you  
13 everything you needed to know because the answers aren't there.  
14 They're around here somewhere and you just --

04:30:50 15 But now, do you see I had four people up here?  
16 And one of them is new, which is fine; but some of them are  
17 old-timers.

18 All right, counsel. Thank you.

19 MR. KALLINEN: Thank you, your Honor.

04:31:11 20 MS. LATIN: Thank you. Thank you for your time.

21 MR. KALLINEN: Good night.

22 MS. AZADEH: Thank you, your Honor.

23 (Proceedings concluded at 4:31 p.m.)  
24  
25

## C E R T I F I C A T E

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter, to  
the best of my ability.

By: /s/ Gayle L. Dye

03-14-2023

Gayle L. Dye, CSR, RDR, CRR

Date

/		
/s/Gayle [1] - 19:7	actions [1] - 16:12	book [1] - 15:2
0	additional [2] - 13:3, 13:13	bottom [1] - 18:9
03-14-2023 [1] - 19:7	additionally [3] - 6:5, 12:4, 12:13	bound [1] - 3:11
1	address [1] - 11:14	boy [1] - 5:13
12(b)(6) [1] - 11:21 15 [1] - 18:5 16th [1] - 9:19	admire [1] - 3:13	brief [1] - 14:14
2	age [1] - 18:7	briefing [1] - 14:16
20 [1] - 13:1 2022 [2] - 1:7, 3:2 25 [1] - 13:1 26 [2] - 1:7, 3:2	aggravated [2] - 3:22, 8:13	bring [3] - 8:9, 13:4, 16:9
4	aggregate [1] - 18:12	Broadway [1] - 1:16
4:03 [1] - 1:8 4:31 [1] - 18:23 4th [1] - 1:22	ago [3] - 9:10, 9:14, 14:6	bunch [1] - 10:2
5	agree [1] - 7:2	burden [1] - 11:20
511 [1] - 1:16 515 [1] - 2:2	AIDED [1] - 1:25	buried [1] - 15:5
7	al [1] - 1:7	business [1] - 12:22
713.250.5582 [1] - 2:3 713.320.3785 [1] - 1:17 77002 [1] - 2:3 77012 [1] - 1:16 77584 [1] - 1:22	alleged [2] - 10:25, 16:16	BY [1] - 1:24
8	allow [1] - 13:13	C
8004 [1] - 2:2 832.393.6293 [1] - 1:23	allowing [1] - 13:15	camp [4] - 13:4, 13:19, 14:5, 14:9
9	almost [2] - 7:5, 11:24	car [3] - 4:2, 4:3, 4:4
900 [1] - 1:21	alone [3] - 12:19, 16:7, 16:10	carswell [4] - 13:4, 13:19, 14:4, 14:9
A	amended [1] - 11:24	case [16] - 3:13, 3:15, 4:16, 4:23, 6:7, 7:1, 10:14, 11:6, 11:8, 13:4, 13:10, 13:19, 13:22, 14:4, 15:24, 17:9
ability [4] - 12:8, 15:22, 15:23, 19:5 able [13] - 4:20, 5:25, 6:1, 7:11, 12:2, 12:13, 12:17, 12:19, 13:14, 15:23, 16:1, 16:11, 16:13 above-entitled [1] - 19:4 absolute [1] - 10:16 account [1] - 8:15 act [3] - 15:7, 15:15, 15:25 action [2] - 16:14, 16:17 Action [1] - 1:5	America [1] - 5:14 amicus [1] - 13:20 answered [1] - 9:23 answers [1] - 18:13 APPEARANCES [1] - 1:13 appreciation [1] - 3:9 approached [1] - 4:2 archeologist [1] - 15:20 argument [1] - 6:3 arrest [8] - 4:14, 7:16, 8:4, 8:10, 10:3, 10:4, 12:7, 12:10 arrested [6] - 3:22, 4:12, 8:3, 8:11, 8:14, 11:4 assault [3] - 3:22, 3:23, 8:13 asserting [2] - 13:7, 16:7 AT [1] - 1:15 attention [2] - 13:4, 16:5 ATTORNEY [1] - 1:15 attorneykallinen@aol.com [1] - 1:17 attributable [2] - 16:12, 16:14 AZADEH [7] - 6:24, 7:2, 8:21, 8:24, 17:7, 17:25, 18:22 Azadeh [4] - 1:20, 6:23, 6:24, 8:20	Catholic [1] - 5:14 caused [1] - 16:12 certain [1] - 8:8 certainly [1] - 5:8 certify [1] - 19:3 chance [1] - 4:19 charged [1] - 4:12 chart [1] - 18:9 charts [1] - 18:8 Circuit [1] - 13:5 CITY [2] - 1:7, 1:20 city [26] - 4:24, 5:23, 7:13, 9:8, 9:16, 9:23, 10:24, 11:4, 11:7, 11:13, 11:18, 12:16, 12:25, 13:3, 13:12, 16:4, 16:7, 16:9, 16:10, 16:12, 16:15, 16:17, 16:25, 17:2, 17:23 city's [6] - 6:1, 7:2, 9:3, 9:6, 14:17, 14:22 Civil [1] - 1:5 claim [11] - 4:19, 8:3, 8:10, 8:17, 12:4, 12:5, 12:6, 12:14, 15:2, 16:2, 16:8 claims [4] - 3:9, 6:1, 13:7, 16:6 clarified [1] - 6:17 clear [2] - 6:14, 13:6 clearly [1] - 15:3 coming [3] - 4:6, 4:8, 4:21 complaint [4] - 3:21, 10:1, 11:4, 11:24 COMPUTER [1] - 1:25 COMPUTER-AIDED [1] - 1:25 concerns [1] - 15:22 concluded [1] - 18:23 conclusory [2] - 6:4, 11:21 cONFERENCE [1] - 1:12 considered [1] - 17:4 considering [3] - 13:21, 14:2, 14:3 constitution [1] - 7:21 constitutional [7] - 7:18, 8:2, 8:7, 13:7,
B		C
bad [3] - 10:8		C
Bagby [1] - 1:21		C
banc [5] - 13:21, 13:25, 14:2, 14:4, 14:11		C
based [6] - 6:5, 6:15, 9:25, 11:19, 11:25, 12:18		C
basis [3] - 5:18, 7:17, 8:3		C
BEFORE [1] - 1:11		C
behalf [6] - 5:23, 6:16, 9:12, 9:18, 16:17, 17:2		C
belief [1] - 11:19		C
believes [1] - 9:24		C
best [1] - 19:5		C
better [3] - 5:15, 6:22, 13:16		C
bodies [1] - 15:4		C

16:13, 16:15, 16:18 <b>continue</b> [2] - 13:14, 16:2 <b>continuing</b> [1] - 13:2 <b>contributed</b> [1] - 16:17 <b>correct</b> [1] - 19:3 <b>counsel</b> [1] - 18:18 <b>count</b> [1] - 18:7 <b>couple</b> [1] - 14:3 <b>course</b> [4] - 4:13, 13:17, 14:22, 15:11 <b>Court</b> [5] - 5:25, 6:20, 10:7, 13:6, 13:13 <b>COURT</b> [52] - 1:1, 2:1, 3:3, 3:8, 3:11, 3:16, 3:25, 4:9, 4:18, 4:24, 5:1, 5:3, 5:6, 5:13, 5:20, 6:8, 6:11, 6:19, 6:21, 6:25, 7:4, 7:10, 7:19, 7:23, 8:8, 8:18, 8:20, 8:22, 8:25, 9:2, 9:16, 10:10, 10:15, 10:22, 11:16, 12:20, 13:15, 14:6, 14:17, 15:1, 15:14, 15:18, 15:20, 16:20, 16:23, 17:3, 17:9, 17:11, 17:18, 17:20, 17:24, 18:2 <b>court</b> [2] - 4:15, 13:20 <b>Court's</b> [2] - 13:4, 16:5 <b>create</b> [1] - 16:2 <b>criminal</b> [2] - 15:24 <b>criteria</b> [1] - 10:5 <b>CRR</b> [2] - 2:2, 19:8 <b>CSR</b> [2] - 2:2, 19:8 <b>curiae</b> [1] - 13:20 <b>current</b> [1] - 4:9 <b>cursing</b> [1] - 17:12 <b>curve</b> [1] - 18:11 <b>custom</b> [2] - 12:7, 12:9	<b>DISTRICT</b> [2] - 1:1, 1:2 <b>districts</b> [1] - 18:12 <b>DIVISION</b> [1] - 1:3 <b>documents</b> [2] - 10:19, 10:20 <b>done</b> [1] - 10:22 <b>down</b> [2] - 3:18, 4:21 <b>draw</b> [1] - 16:4 <b>drug</b> [1] - 12:25 <b>due</b> [1] - 14:19 <b>Dye</b> [2] - 19:7, 19:8 <b>DYE</b> [1] - 2:2	<b>file</b> [3] - 5:24, 6:6, 9:11 <b>filed</b> [9] - 3:12, 7:25, 9:5, 9:10, 9:13, 9:19, 15:2, 17:1, 17:2 <b>filing</b> [2] - 9:20, 9:22 <b>fine</b> [2] - 6:14, 18:16 <b>finger</b> [1] - 14:12 <b>firearm</b> [1] - 8:14 <b>first</b> [3] - 12:5, 13:22 <b>five</b> [1] - 14:7 <b>Floor</b> [1] - 1:22 <b>FOIA</b> [1] - 15:19 <b>FOR</b> [2] - 1:14, 1:18 <b>force</b> [2] - 10:3, 11:25 <b>foregoing</b> [1] - 19:3 <b>form</b> [1] - 11:9 <b>forward</b> [1] - 3:21 <b>four</b> [4] - 5:10, 7:20, 14:7, 18:15 <b>French</b> [1] - 5:7 <b>frequency</b> [1] - 12:22 <b>frequently</b> [2] - 12:21, 18:10 <b>friend</b> [1] - 4:21 <b>friends</b> [2] - 5:10, 7:7 <b>FROM</b> [1] - 1:25 <b>full</b> [1] - 15:3 <b>fundamental</b> [1] - 7:5 <b>funny</b> [1] - 12:22 <b>furnish</b> [1] - 12:25
<b>D</b>	<b>E</b>	<b>G</b>
<b>damage</b> [1] - 17:10 <b>data</b> [1] - 3:18 <b>Date</b> [1] - 19:8 <b>days</b> [2] - 14:3, 14:20 <b>DC</b> [1] - 15:15 <b>decided</b> [1] - 13:5 <b>decision</b> [1] - 13:23 <b>Defendants</b> [1] - 1:8 <b>DEFENDANTS</b> [1] - 1:18 <b>defense</b> [1] - 13:8 <b>deliberate</b> [2] - 12:15, 12:16 <b>denied</b> [1] - 11:13 <b>described</b> [1] - 10:18 <b>develop</b> [1] - 10:14 <b>different</b> [1] - 9:16 <b>discipline</b> [1] - 11:7 <b>discovery</b> [6] - 13:3, 13:9, 13:13, 14:25, 15:1, 15:22 <b>disfavored</b> [1] - 11:2 <b>dismiss</b> [22] - 5:24, 6:1, 6:6, 6:16, 7:15, 7:25, 9:6, 9:12, 9:19, 10:6, 10:25, 11:11, 11:12, 11:21, 12:3, 13:8, 13:11, 14:21, 14:22, 14:24, 16:3, 16:19 <b>dismissed</b> [2] - 4:17, 11:7 <b>district</b> [1] - 18:10	<b>earn</b> [1] - 3:4 <b>easier</b> [2] - 3:5, 5:9 <b>education</b> [2] - 5:15, 18:7 <b>efficiency</b> [1] - 10:11 <b>eighties</b> [1] - 18:4 <b>either</b> [1] - 7:6 <b>employees</b> [1] - 12:22 <b>en</b> [5] - 13:21, 13:25, 14:2, 14:4, 14:11 <b>encourage</b> [1] - 13:13 <b>end</b> [1] - 18:11 <b>entirety</b> [1] - 4:17 <b>entitled</b> [1] - 19:4 <b>Espinal</b> [3] - 3:8, 3:11, 12:25 <b>ESPINAL</b> [1] - 1:4 <b>et</b> [1] - 1:7 <b>events</b> [1] - 11:23 <b>everywhere</b> [1] - 15:17 <b>evidence</b> [1] - 11:10 <b>exactly</b> [1] - 3:20 <b>examples</b> [2] - 10:2 <b>exception</b> [3] - 15:8, 15:9, 15:12 <b>excessive</b> [3] - 10:2, 10:3, 11:24 <b>excuse</b> [1] - 10:4 <b>existed</b> [2] - 8:4, 8:13 <b>expanded</b> [1] - 15:16 <b>expansion</b> [1] - 13:24 <b>experience</b> [1] - 3:17	<b>gathering</b> [1] - 7:6 <b>Gayle</b> [1] - 19:8 <b>GAYLE</b> [1] - 2:2 <b>Genell</b> [1] - 1:19 <b>giant</b> [1] - 7:7 <b>government</b> [1] - 17:10 <b>governments</b> [1] - 13:17 <b>grant</b> [3] - 13:21, 14:4, 14:11 <b>great</b> [2] - 3:16, 13:24 <b>group</b> [1] - 5:16 <b>growing</b> [1] - 5:11 <b>guess</b> [3] - 3:3, 9:21, 17:4 <b>gun</b> [1] - 3:23 <b>guns</b> [1] - 8:23 <b>guy</b> [3] - 3:3, 6:13
	<b>F</b>	<b>H</b>
	<b>face</b> [2] - 4:8, 16:5 <b>fact</b> [1] - 16:5 <b>facts</b> [9] - 3:15, 6:3, 7:5, 8:11, 9:25, 11:15, 11:19, 12:23, 13:3 <b>failure</b> [5] - 12:5, 12:6, 12:11, 12:14 <b>failure-to-train</b> [3] - 12:5, 12:6, 12:14 <b>false</b> [5] - 8:10, 10:3, 10:4, 12:7, 12:10 <b>falsely</b> [1] - 11:4 <b>far</b> [3] - 6:4, 6:5, 12:4 <b>fashion</b> [1] - 9:22 <b>favor</b> [1] - 6:1 <b>few</b> [4] - 11:1, 15:3, 17:12, 18:8 <b>fields</b> [1] - 7:7 <b>Fifth</b> [1] - 13:5 <b>figure</b> [1] - 10:15	<b>H-22-CV-1149</b> [1] - 1:6 <b>half</b> [1] - 3:3 <b>harassing</b> [1] - 17:18 <b>hear</b> [1] - 15:21 <b>high</b> [1] - 5:4 <b>home</b> [1] - 15:12 <b>Honor</b> [28] - 3:7, 3:10, 3:15, 4:22, 4:25, 5:2, 7:2, 7:9, 7:12, 7:22, 8:19, 8:21, 9:1, 9:6, 9:21, 9:23, 11:17, 13:2, 13:17, 15:6, 15:21, 16:22, 17:7, 17:16, 17:25, 18:1, 18:19, 18:22

<b>HONORABLE</b> <sup>[1]</sup> - 1:11 <b>hope</b> <sup>[3]</sup> - 4:23, 5:25, 6:17 <b>HOUSTON</b> <sup>[3]</sup> - 1:3, 1:7, 1:20 <b>Houston</b> <sup>[6]</sup> - 1:7, 1:16, 1:22, 2:3, 12:20, 16:7 <b>Howdy</b> <sup>[1]</sup> - 4:21 <b>HUGHES</b> <sup>[1]</sup> - 1:11	6:10, 6:15, 6:20, 7:9, 7:12, 7:22, 7:24, 8:9, 8:19, 9:12, 9:15, 9:18, 10:11, 11:17, 13:2, 15:21, 16:22, 16:25, 17:8, 17:23, 18:20 <b>Latin</b> <sup>[4]</sup> - 1:19, 5:1, 5:3, 5:11 <b>LAW</b> <sup>[1]</sup> - 1:15 <b>laws</b> <sup>[1]</sup> - 15:7 <b>lawsuit</b> <sup>[1]</sup> - 10:13 <b>lawyer</b> <sup>[2]</sup> - 15:11, 15:12 <b>learned</b> <sup>[1]</sup> - 5:3 <b>least</b> <sup>[3]</sup> - 7:5, 8:13, 10:6 <b>Lee</b> <sup>[1]</sup> - 1:15 <b>left</b> <sup>[1]</sup> - 17:12 <b>Legal</b> <sup>[1]</sup> - 1:21 <b>legally</b> <sup>[1]</sup> - 3:16 <b>lengthy</b> <sup>[1]</sup> - 10:1 <b>letter</b> <sup>[1]</sup> - 16:20 <b>liability</b> <sup>[1]</sup> - 6:4 <b>life</b> <sup>[1]</sup> - 4:12 <b>lights</b> <sup>[2]</sup> - 4:5, 4:7 <b>list</b> <sup>[1]</sup> - 11:23 <b>litigate</b> <sup>[2]</sup> - 15:9, 15:10 <b>litigation</b> <sup>[2]</sup> - 15:8, 15:12 <b>live</b> <sup>[1]</sup> - 4:24 <b>local</b> <sup>[1]</sup> - 8:20 <b>logically</b> <sup>[1]</sup> - 12:11 <b>look</b> <sup>[2]</sup> - 3:12, 4:20 <b>looked</b> <sup>[1]</sup> - 5:9 <b>looks</b> <sup>[1]</sup> - 17:3 <b>Lord</b> <sup>[1]</sup> - 3:4 <b>LYNN</b> <sup>[1]</sup> - 1:11	<b>mostly</b> <sup>[1]</sup> - 10:3 <b>motion</b> <sup>[24]</sup> - 5:24, 6:6, 6:16, 7:3, 7:25, 9:12, 9:19, 10:6, 10:25, 11:11, 11:12, 11:13, 11:20, 11:21, 12:3, 13:8, 13:11, 14:18, 14:21, 14:22, 14:24, 16:3, 16:19, 17:1 <b>motion-to-dismiss</b> <sup>[3]</sup> - 10:6, 11:11, 12:3 <b>motions</b> <sup>[2]</sup> - 7:15, 9:6 <b>move</b> <sup>[1]</sup> - 10:10 <b>moving</b> <sup>[1]</sup> - 12:10 <b>MR</b> <sup>[28]</sup> - 3:7, 3:10, 3:14, 3:20, 4:4, 4:10, 4:22, 4:25, 9:1, 9:5, 9:14, 9:17, 9:20, 10:12, 10:17, 10:23, 13:17, 14:9, 14:19, 15:6, 15:16, 15:19, 17:10, 17:16, 17:19, 18:1, 18:19, 18:21 <b>MS</b> <sup>[33]</sup> - 5:2, 5:5, 5:12, 5:18, 5:23, 6:10, 6:15, 6:20, 6:24, 7:2, 7:9, 7:12, 7:22, 7:24, 8:9, 8:19, 8:21, 8:24, 9:12, 9:15, 9:18, 10:11, 11:17, 13:2, 15:21, 16:22, 16:25, 17:7, 17:8, 17:23, 17:25, 18:20, 18:22 <b>municipal</b> <sup>[1]</sup> - 6:4 <b>must</b> <sup>[2]</sup> - 13:7, 14:7
<b>I</b>		<b>N</b>
<b>ignored</b> <sup>[1]</sup> - 11:5 <b>imagine</b> <sup>[1]</sup> - 15:8 <b>immunity</b> <sup>[4]</sup> - 13:8, 13:11, 13:18, 13:25 <b>incidences</b> <sup>[1]</sup> - 11:25 <b>incident</b> <sup>[2]</sup> - 9:4, 12:12 <b>included</b> <sup>[1]</sup> - 11:23 <b>incredibly</b> <sup>[1]</sup> - 15:25 <b>indifference</b> <sup>[2]</sup> - 12:15, 12:17 <b>individual</b> <sup>[3]</sup> - 9:7, 9:9, 14:21 <b>individuals</b> <sup>[2]</sup> - 13:18, 14:19 <b>information</b> <sup>[5]</sup> - 6:18, 6:20, 15:23, 16:1, 18:5 <b>informed</b> <sup>[3]</sup> - 3:14, 6:22, 13:16 <b>inspire</b> <sup>[1]</sup> - 10:10 <b>instance</b> <sup>[1]</sup> - 12:24 <b>instances</b> <sup>[3]</sup> - 10:3, 10:4, 11:1 <b>intensively</b> <sup>[1]</sup> - 5:13 <b>interested</b> <sup>[1]</sup> - 14:15 <b>interesting</b> <sup>[1]</sup> - 13:22 <b>investigation</b> <sup>[1]</sup> - 15:3 <b>itself</b> <sup>[1]</sup> - 16:17		<b>names</b> <sup>[1]</sup> - 8:5 <b>necessary</b> <sup>[1]</sup> - 12:14 <b>need</b> <sup>[1]</sup> - 17:21 <b>needed</b> <sup>[4]</sup> - 4:1, 16:2, 18:5, 18:13 <b>needs</b> <sup>[3]</sup> - 3:17, 6:18, 6:20 <b>negate</b> <sup>[1]</sup> - 16:8 <b>never</b> <sup>[1]</sup> - 4:12 <b>new</b> <sup>[3]</sup> - 4:21, 13:19, 18:16 <b>next</b> <sup>[4]</sup> - 5:21, 5:22, 9:21 <b>nice</b> <sup>[1]</sup> - 16:20 <b>nicely</b> <sup>[1]</sup> - 17:13 <b>night</b> <sup>[2]</sup> - 3:25, 18:21 <b>nighttime</b> <sup>[1]</sup> - 4:5 <b>nobody</b> <sup>[1]</sup> - 7:5 <b>none</b> <sup>[1]</sup> - 8:6 <b>nothing</b> <sup>[1]</sup> - 18:1 <b>numerosity</b> <sup>[1]</sup> - 12:1
<b>J</b>	<b>M</b>	
<b>job</b> <sup>[1]</sup> - 15:4 <b>judges</b> <sup>[1]</sup> - 18:10 <b>judgment</b> <sup>[1]</sup> - 11:14 <b>judicial</b> <sup>[1]</sup> - 10:11 <b>junior</b> <sup>[1]</sup> - 5:4 <b>justly</b> <sup>[1]</sup> - 18:4	<b>ma'am</b> <sup>[2]</sup> - 11:16, 17:24 <b>malicious</b> <sup>[2]</sup> - 12:8, 12:10 <b>man</b> <sup>[2]</sup> - 3:16, 4:11 <b>marked</b> <sup>[1]</sup> - 4:3 <b>matter</b> <sup>[1]</sup> - 19:4 <b>MAXIMO</b> <sup>[1]</sup> - 1:4 <b>mean</b> <sup>[1]</sup> - 10:3 <b>MEANS</b> <sup>[1]</sup> - 1:24 <b>meantime</b> <sup>[1]</sup> - 17:18 <b>meat</b> <sup>[1]</sup> - 10:8 <b>meet</b> <sup>[2]</sup> - 10:5, 11:25 <b>meeting</b> <sup>[1]</sup> - 6:4 <b>Melissa</b> <sup>[1]</sup> - 1:20 <b>mercifully</b> <sup>[1]</sup> - 6:8 <b>met</b> <sup>[2]</sup> - 11:20, 12:8 <b>michael</b> <sup>[1]</sup> - 15:25 <b>might</b> <sup>[1]</sup> - 6:11 <b>mind</b> <sup>[1]</sup> - 6:25 <b>minutes</b> <sup>[1]</sup> - 18:5 <b>missing</b> <sup>[1]</sup> - 4:18 <b>Monell</b> <sup>[1]</sup> - 6:4 <b>money</b> <sup>[1]</sup> - 17:5 <b>month</b> <sup>[3]</sup> - 14:4, 14:6, 14:11 <b>Morgan</b> <sup>[1]</sup> - 1:19 <b>morton</b> <sup>[1]</sup> - 15:25	
<b>K</b>		<b>O</b>
<b>Kallinen</b> <sup>[6]</sup> - 1:15, 3:6, 6:2, 8:25, 12:24, 17:9 <b>KALLINEN</b> <sup>[28]</sup> - 3:7, 3:10, 3:14, 3:20, 4:4, 4:10, 4:22, 4:25, 9:1, 9:5, 9:14, 9:17, 9:20, 10:12, 10:17, 10:23, 13:17, 14:9, 14:19, 15:6, 15:16, 15:19, 17:10, 17:16, 17:19, 18:1, 18:19, 18:21 <b>keeping</b> <sup>[1]</sup> - 18:3 <b>killed</b> <sup>[1]</sup> - 17:6 <b>kind</b> <sup>[1]</sup> - 18:6 <b>knows</b> <sup>[2]</sup> - 3:4, 7:6		<b>occasionally</b> <sup>[1]</sup> - 3:12 <b>OF</b> <sup>[4]</sup> - 1:2, 1:7, 1:10, 1:20 <b>officer</b> <sup>[6]</sup> - 6:16, 6:17, 10:18, 11:8, 13:7 <b>officer's</b> <sup>[1]</sup> - 14:21 <b>officers</b> <sup>[20]</sup> - 6:5, 6:6, 6:9, 7:14, 7:17, 7:20, 7:25, 8:1, 8:5, 8:6, 9:7, 9:9, 9:13, 9:18, 13:10, 13:12, 16:9, 16:24, 16:25 <b>old</b> <sup>[1]</sup> - 18:17 <b>old-timers</b> <sup>[1]</sup> - 18:17 <b>once</b> <sup>[1]</sup> - 17:17 <b>one</b> <sup>[12]</sup> - 5:3, 5:7, 5:13, 6:11, 10:17, 13:22, 14:6, 14:9, 14:10, 15:7, 15:18, 18:16
<b>L</b>		
<b>lam</b> <sup>[2]</sup> - 6:16, 14:21 <b>large</b> <sup>[1]</sup> - 12:20 <b>LATIN</b> <sup>[26]</sup> - 5:2, 5:5, 5:12, 5:18, 5:23,		

<p><b>open</b> [2] - 15:7, 15:14  <b>opinions</b> [2] - 14:7, 14:8  <b>order</b> [2] - 8:9, 12:16  <b>organization</b> [1] - 3:9  <b>organized</b> [1] - 17:21  <b>ought</b> [1] - 17:4  <b>overcome</b> [2] - 11:20, 16:19  <b>own</b> [1] - 8:12</p>	<p><b>proceedings</b> [2] - 18:23, 19:4  <b>PROCEEDINGS</b> [3] - 1:10, 1:24, 3:1  <b>process</b> [1] - 18:3  <b>produce</b> [1] - 12:25  <b>PRODUCED</b> [1] - 1:25  <b>pronounce</b> [2] - 5:1, 6:23  <b>property</b> [1] - 17:10  <b>prosecution</b> [2] - 12:8, 12:10  <b>prove</b> [1] - 12:2  <b>provided</b> [4] - 6:3, 6:15, 7:14  <b>providing</b> [1] - 13:3  <b>publicly</b> [1] - 4:2</p>	<p><b>review</b> [2] - 13:21, 14:4  <b>rid</b> [3] - 10:7, 14:2, 14:12  <b>rights</b> [3] - 8:2, 8:7, 8:16  <b>ripe</b> [1] - 10:25  <b>Room</b> [1] - 2:2  <b>roughly</b> [1] - 18:12  <b>rule</b> [2] - 5:25, 18:6  <b>ruling</b> [1] - 7:3  <b>rural</b> [1] - 5:13  <b>Rusk</b> [1] - 2:2</p>
<b>P</b>	<b>Q</b>	<b>S</b>
<p><b>p.m</b> [2] - 1:8, 18:23  <b>PA</b> [1] - 13:1  <b>paid</b> [1] - 4:2  <b>painter</b> [1] - 7:6  <b>papers</b> [1] - 3:12  <b>part</b> [3] - 5:14, 5:16, 12:15  <b>particular</b> [1] - 4:23  <b>pattern</b> [6] - 9:25, 11:9, 11:22, 12:2, 12:9, 12:18  <b>peculiar</b> [1] - 12:21  <b>pencils</b> [1] - 17:11  <b>pens</b> [1] - 17:11  <b>people</b> [4] - 3:4, 7:6, 14:18, 18:15  <b>perfect</b> [1] - 8:24  <b>period</b> [1] - 9:21  <b>permission</b> [1] - 7:10  <b>person</b> [1] - 6:12  <b>physical</b> [1] - 4:9  <b>physically</b> [1] - 4:10  <b>piecemeal</b> [1] - 17:17  <b>pin</b> [1] - 3:17  <b>place</b> [4] - 4:1, 7:8, 12:11, 17:4  <b>places</b> [1] - 6:18  <b>plaintiff</b> [1] - 13:6  <b>Plaintiff</b> [24] - 1:5, 6:2, 6:18, 7:17, 8:9, 8:11, 8:13, 9:24, 10:1, 11:3, 11:18, 11:20, 11:22, 12:8, 12:13, 12:19, 16:1, 16:6, 16:9, 16:11, 16:18, 17:1, 18:1  <b>PLAINTIFF</b> [1] - 1:14  <b>Plaintiff's</b> [6] - 7:16, 8:2, 8:7, 8:16, 15:21, 15:23  <b>play</b> [1] - 17:8  <b>pleadings</b> [4] - 8:12, 11:19, 12:19, 16:5  <b>point</b> [4] - 3:23, 7:1, 7:13, 11:11  <b>pointed</b> [1] - 4:5  <b>police</b> [2] - 7:6, 10:21  <b>policy</b> [2] - 12:7, 12:9  <b>position</b> [2] - 5:21, 10:20  <b>practice</b> [6] - 9:25, 11:9, 11:22, 12:2, 12:7, 12:18  <b>preparation</b> [1] - 3:9  <b>present</b> [5] - 6:17, 7:17, 8:1, 8:6  <b>presented</b> [2] - 7:17, 8:12  <b>pretty</b> [1] - 4:10  <b>previous</b> [1] - 10:2  <b>prison</b> [1] - 3:4  <b>probable</b> [5] - 7:15, 8:4, 8:11, 8:12  <b>proceeding</b> [1] - 15:25</p>	<p><b>qualified</b> [4] - 13:8, 13:11, 13:18, 13:24  <b>qualified-immunity</b> [1] - 13:8  <b>quite</b> [1] - 10:25</p>	<p><b>saw</b> [1] - 11:19  <b>school</b> [1] - 5:4  <b>second</b> [2] - 4:3, 9:8  <b>see</b> [6] - 4:4, 6:2, 6:14, 7:19, 16:18, 18:15  <b>sending</b> [1] - 3:4  <b>sentence</b> [3] - 18:6, 18:10, 18:11  <b>September</b> [3] - 1:7, 3:2, 9:19  <b>sets</b> [1] - 3:21  <b>settle</b> [1] - 6:22  <b>shift</b> [1] - 4:1  <b>shooting</b> [1] - 8:18  <b>show</b> [9] - 7:15, 8:10, 12:13, 12:16, 12:17, 12:19, 15:4, 16:11, 16:14  <b>shown</b> [1] - 12:15  <b>shows</b> [1] - 14:15  <b>side</b> [2] - 14:14, 15:24  <b>similar</b> [2] - 13:1, 18:12  <b>similarity</b> [1] - 12:1  <b>sit</b> [1] - 3:11  <b>sitting</b> [3] - 4:15, 4:16, 14:10  <b>slow</b> [1] - 18:3  <b>snap</b> [1] - 14:12  <b>someone</b> [1] - 4:1  <b>sometimes</b> [1] - 17:11  <b>somewhere</b> [1] - 18:14  <b>sorry</b> [2] - 17:7, 18:2  <b>sort</b> [1] - 5:15  <b>SOUTHERN</b> [1] - 1:2  <b>Spanish</b> [1] - 5:8  <b>specific</b> [2] - 8:5, 12:12  <b>specificity</b> [1] - 12:1  <b>stage</b> [6] - 5:23, 10:6, 10:13, 11:11, 12:3  <b>stand</b> [2] - 7:18, 8:17  <b>stands</b> [1] - 11:18  <b>start</b> [2] - 12:5, 17:15  <b>state</b> [2] - 4:9, 13:5  <b>States</b> [1] - 13:23  <b>STATES</b> [1] - 1:1  <b>STENOGRAPHIC</b> [1] - 1:24  <b>still</b> [6] - 4:15, 11:2, 11:18, 15:23, 16:1, 16:4  <b>straight</b> [1] - 4:8  <b>Street</b> [2] - 1:16, 1:21  <b>street</b> [1] - 4:21  <b>strong</b> [1] - 15:25</p>
	<b>R</b>	
	<p><b>raised</b> [1] - 13:11  <b>Randall</b> [1] - 1:15  <b>rapidly</b> [1] - 4:6  <b>rather</b> [3] - 4:6, 10:1, 17:17  <b>ratification</b> [4] - 11:2, 11:9, 12:4  <b>RDR</b> [2] - 2:2, 19:8  <b>reach</b> [1] - 17:3  <b>read</b> [1] - 17:17  <b>reading</b> [1] - 17:15  <b>ready</b> [2] - 7:3, 17:3  <b>reality</b> [1] - 15:15  <b>really</b> [3] - 5:4, 15:20, 17:21  <b>reasonable</b> [1] - 7:1  <b>recently</b> [1] - 13:5  <b>recited</b> [1] - 3:21  <b>record</b> [1] - 19:4  <b>RECORDED</b> [1] - 1:24  <b>records</b> [8] - 4:14, 4:15, 12:2, 13:1, 15:7, 15:15  <b>referring</b> [2] - 11:18, 11:23  <b>regard</b> [1] - 7:9  <b>regarding</b> [3] - 12:10, 13:19, 15:22  <b>regardless</b> [2] - 7:16, 8:5  <b>regards</b> [4] - 7:13, 11:17, 12:6, 13:2  <b>relate</b> [1] - 11:24  <b>related</b> [1] - 14:18  <b>relatively</b> [1] - 13:19  <b>reply</b> [2] - 5:24, 17:2  <b>report</b> [1] - 10:21  <b>REPORTER</b> [1] - 2:1  <b>request</b> [2] - 11:12, 15:19  <b>requirements</b> [1] - 12:1  <b>residents</b> [1] - 12:21  <b>respectfully</b> [1] - 11:12  <b>respond</b> [3] - 9:2, 14:20, 14:22  <b>responded</b> [3] - 9:3, 14:17, 17:1  <b>response</b> [5] - 9:3, 9:5, 9:22, 16:24  <b>rest</b> [1] - 17:20</p>	

<b>submitted</b> <sup>[1]</sup> - 13:20 <b>subsequent</b> <sup>[1]</sup> - 12:7 <b>substantively</b> <sup>[1]</sup> - 6:12 <b>succeeded</b> <sup>[1]</sup> - 15:18 <b>summary</b> <sup>[1]</sup> - 11:14 <b>supplement</b> <sup>[1]</sup> - 16:23 <b>support</b> <sup>[2]</sup> - 8:12, 16:6 <b>supposed</b> <sup>[1]</sup> - 18:7 <b>Supreme</b> <sup>[1]</sup> - 13:6 <b>surprised</b> <sup>[1]</sup> - 5:6 <b>survive</b> <sup>[1]</sup> - 13:7 <b>suspect</b> <sup>[1]</sup> - 12:20	<b>UNITED</b> <sup>[1]</sup> - 1:1 <b>United</b> <sup>[1]</sup> - 13:23 <b>up</b> <sup>[5]</sup> - 5:11, 6:14, 18:6, 18:11, 18:15 <b>upsetting</b> <sup>[1]</sup> - 4:13
<b>T</b>	<b>V</b>
<b>table</b> <sup>[1]</sup> - 17:6 <b>teachers</b> <sup>[1]</sup> - 5:7 <b>teaser</b> <sup>[1]</sup> - 5:4 <b>ten</b> <sup>[1]</sup> - 14:20 <b>term</b> <sup>[1]</sup> - 10:16 <b>Texans</b> <sup>[1]</sup> - 8:22 <b>TEXAS</b> <sup>[1]</sup> - 1:2 <b>Texas</b> <sup>[5]</sup> - 1:7, 1:16, 1:22, 2:3, 15:7 <b>THE</b> <sup>[53]</sup> - 1:11, 1:14, 1:18, 3:3, 3:8, 3:11, 3:16, 3:25, 4:9, 4:18, 4:24, 5:1, 5:3, 5:6, 5:13, 5:20, 6:8, 6:11, 6:19, 6:21, 6:25, 7:4, 7:10, 7:19, 7:23, 8:8, 8:18, 8:20, 8:22, 8:25, 9:2, 9:16, 10:10, 10:15, 10:22, 11:16, 12:20, 13:15, 14:6, 14:17, 15:1, 15:14, 15:18, 15:20, 16:20, 16:23, 17:3, 17:9, 17:11, 17:18, 17:20, 17:24, 18:2 <b>themselves</b> <sup>[1]</sup> - 3:18 <b>therefore</b> <sup>[1]</sup> - 7:16 <b>they've</b> <sup>[3]</sup> - 14:3, 14:10, 14:15 <b>thinking</b> <sup>[3]</sup> - 13:25, 14:11, 14:13 <b>thoughtfully</b> <sup>[1]</sup> - 18:4 <b>three</b> <sup>[2]</sup> - 5:10, 6:9 <b>timely</b> <sup>[2]</sup> - 9:22, 14:20 <b>timers</b> <sup>[1]</sup> - 18:17 <b>took</b> <sup>[3]</sup> - 5:7, 5:8, 5:10 <b>tough</b> <sup>[1]</sup> - 3:3 <b>towards</b> <sup>[1]</sup> - 4:6 <b>train</b> <sup>[5]</sup> - 12:5, 12:6, 12:11, 12:14 <b>trained</b> <sup>[1]</sup> - 3:16 <b>training</b> <sup>[1]</sup> - 11:1 <b>transcript</b> <sup>[1]</sup> - 19:3 <b>TRANSCRIPT</b> <sup>[2]</sup> - 1:10, 1:25 <b>TRANSCRIPTION</b> <sup>[1]</sup> - 1:25 <b>tried</b> <sup>[2]</sup> - 15:14, 17:8 <b>truly</b> <sup>[1]</sup> - 4:13 <b>try</b> <sup>[1]</sup> - 16:2 <b>two</b> <sup>[3]</sup> - 7:20, 17:14, 18:8	<b>violated</b> <sup>[4]</sup> - 7:21, 8:2, 8:7, 8:16 <b>violation</b> <sup>[4]</sup> - 7:18, 16:13, 16:15, 16:18 <b>vocabulary</b> <sup>[1]</sup> - 5:19 <b>VS</b> <sup>[1]</sup> - 1:6
	<b>W</b>
	<b>wait</b> <sup>[1]</sup> - 9:8 <b>Washington</b> <sup>[1]</sup> - 15:15 <b>weakest</b> <sup>[1]</sup> - 15:7 <b>week</b> <sup>[4]</sup> - 9:14, 9:15, 9:21, 9:22 <b>weeks</b> <sup>[1]</sup> - 17:14 <b>whole</b> <sup>[2]</sup> - 13:23, 17:17 <b>wholly</b> <sup>[1]</sup> - 11:5 <b>withstand</b> <sup>[1]</sup> - 16:3 <b>witness</b> <sup>[1]</sup> - 3:18 <b>words</b> <sup>[1]</sup> - 11:6 <b>worrying</b> <sup>[1]</sup> - 4:20 <b>write</b> <sup>[1]</sup> - 5:15 <b>written</b> <sup>[1]</sup> - 16:20
	<b>Y</b>
	<b>years</b> <sup>[1]</sup> - 13:1 <b>you-all</b> <sup>[2]</sup> - 6:21, 10:20
<b>U</b>	
<b>unauthorized</b> <sup>[1]</sup> - 8:14 <b>under</b> <sup>[1]</sup> - 6:4 <b>unfortunately</b> <sup>[2]</sup> - 4:13, 15:6 <b>uniform</b> <sup>[1]</sup> - 4:3	